

1
2
3
4
5
6
7 PATRICK BARNICLE, et al.,
8 Plaintiffs,
9 v.
10 MELLANOX TECHNOLOGIES, LTD., et
al.,
11 Defendants.

12 Case No. 13-cv-04909-JD

13
14
15
16
17 **ORDER REQUIRING PREPARATION
OF SUPPLEMENTAL CHART**

18 Lead Plaintiffs are ordered to prepare a chart of the information required by 15 U.S.C.
19 § 78u-4(b)(1) and (2) that specifically identifies: (1) each statement alleged to have been false or
20 misleading, (2) the reason(s) the statement was false or misleading when made, and (3) if an
allegation regarding the statement or omission is made on information and belief, all facts on
which the belief is formed.

21 The chart should clearly identify which statements or omissions are attributable to which
22 defendants, and include a detailed statement of the facts giving rise to a strong inference that each
defendant acted with the required state of mind.

23 Plaintiffs should also summarize their allegations regarding what each defendant knew
24 with regard to the statement or omission, and when each knew it.

25 For the guidance of Lead Plaintiffs, the Court suggests the format on the following page:

26 //
27 //
28 //

1	2	3	4	5
6	7	8	9	10
Statement No.	The Speaker(s), Date(s), and Medium	False and Misleading Statements	Reasons Why Statements Were False and Misleading When Made	Facts Giving Rise to a Strong Inference of Scienter
1	<u>When:</u> xx/xx/yyyy <u>Where:</u> Press release dated xx/xx/yyyy <u>Speakers:</u> CEO (Compl. ¶ __)	[This column should contain <i>direct quotations</i> of the allegedly false and misleading statements.]	[This column should summarize plaintiffs' arguments on scienter, with specific paragraph references to the complaint.]	[This column should summarize plaintiffs' arguments on scienter, with specific paragraph references to the complaint.]

Lead Plaintiffs are to submit this chart at the hearing on August 20, 2014. The chart must strictly adhere to the allegations in the second amended complaint, and cannot include any new or supplemental information or explanation.

IT IS SO ORDERED.

Dated: August 18, 2014



JAMES P. DONATO
United States District Judge